

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

ROBERT FLETCHER,	)	7:06CV5001
	)	
Plaintiff,	)	
	)	
v.	)	<b>MEMORANDUM</b>
	)	<b>AND ORDER</b>
DENNIS GRIFFITHS, in his individual	)	
capacity, et al.,	)	
	)	
Defendants.	)	

This matter is before the court on Plaintiff's Objection to Order Dismissing Appeal. ([Filing No. 82.](#)) The court construes the Motion as a motion to reconsider the court's May 13, 2008 Memorandum and Order dismissing Plaintiff's Appeal as untimely. ([Filing No. 81.](#)) As set forth in that Memorandum and Order:

Plaintiff has never attempted to explain his failure to timely file his Notice of Appeal and therefore has not shown excusable neglect or good cause. The court does not have discretion to extend the time for filing a notice of appeal absent a showing by the party seeking to appeal. [Fed. R. App. P. 26\(b\)](#) ("[T]he court may not extend the time to file [] a notice of appeal (except as authorized in Rule 4). . . .")

([Id.](#)) The court has carefully reviewed Plaintiff's Motion and finds no good cause for reconsideration of any portion of its May 13, 2008 Memorandum and Order or Judgment. Plaintiff's Motion is therefore denied in its entirety.

IT IS THEREFORE ORDERED that Plaintiff's Objection to Order Dismissing Appeal ([filing no. 82](#)), construed as a motion to reconsider, is denied.

July 25, 2008.

BY THE COURT:

s/ Joseph F. Bataillon  
Chief United States District Judge